



Court of Appeals Eleventh District of Texas

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P.O. BOX 271
EASTLAND, TEXAS 76448

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**JOHN M. BAILEY
CHIEF JUSTICE**
**W. STACY TROTTER
JUSTICE**
**W. BRUCE WILLIAMS
JUSTICE**

In 2004, the Appellate Section of the State Bar of Texas and the Courts of Appeals worked together to identify key information needed by appellate attorneys and pro se litigants to practice effectively before the courts. To assist the courts in this effort, the Appellate Section collected and formatted the relevant information and published it in the Appellate Advocate in February 2005. This information is being updated in June 2021, and the Court intends to keep the information current for the use of persons with matters before the Court.

Internal Operating Procedures — Eleventh District Court of Appeals – Eastland

(June 2021)

The Basics

1. Court's Address:

Physical Address: Eastland County Courthouse, 100 W. Main, Suite 300, Eastland, Texas 76448

Mailing Address: P.O. Box 271, Eastland, Texas 76448

2. Telephone number: Phone: (254) 629-2638, Fax: (254) 629-2191

3. Website address: <https://www.txcourts.gov/11thcoa>

4. Names of Justices: John M. Bailey (C.J.), W. Stacy Trotter, W. Bruce Williams

5. Clerk of the Court: Cheryl Busk

6. Chief Staff Attorney: Jill Eaton

7. Local Rules: None. Variance from the Texas Rules of Appellate Procedure is discouraged. The Court would note that effective January 1, 2014, electronic filing is mandatory.

PROCEDURE	WHAT AND HOW TO FILE	HOW HANDLED	COURT'S PARTICULAR PRACTICES	SPECIAL NOTES
Motions	E-filed: No paper copies. Paper: Original only **Paper only permitted for pro se filers	Motions are decided by the Court. The clerks do not handle any motions.	The disposition process is usually handled quickly if the motion is agreed. If the motion is not agreed, the Court waits 10 days for a response. A first motion for extension of time is usually granted, if reasonable in requested length of extension. Any subsequent motions for extension of time are handled on a case-by-case basis.	Rulings on motions are normally handed down on Thursdays.
Briefs	E-filed: No paper copies. Paper: Original only Request oral argument on cover of the brief. **Paper only permitted for pro se filers	The appellant must file a brief within 30 days (20 days in an accelerated appeal) after the later of: (1) the date the clerk's record was filed or (2) the date the reporter's record was filed. TEX. R. APP. P. 38.6(a). The appellee's brief must be filed within 30 days (20 days in an accelerated appeal) after the date the appellant's brief is filed. If the appellant in a civil case has not filed a brief as provided in Rule 38.6(a), an appellee may file a brief within 30 days (20 days in an accelerated appeal) after the date the appellant's brief was due. TEX. R. APP. P. 38.6(b). A reply brief, if any, must be filed within 20 days after the date the appellee's brief was filed. TEX. R. APP. P. 38.6(c).	The Court follows the Texas Rules of Appellate Procedure on briefs.	Pro se filers: A brief should have durable front and backcovers, which shall not be plastic or black, red, or dark blue. TEX. R. APP. P. 9.4(f). Use of multiple fonts in the body of a brief is discouraged.
Oral Argument		In civil cases, the Court grants 20 minutes per side; rebuttal is 5 minutes. In criminal cases, the Court grants 15 minutes per side, with 5 minutes for rebuttal. The Court sometimes allots more time upon request.	All cases are screened for oral argument when the case becomes "at issue," (i.e. when the appellee's brief is filed) under the guidelines set out in TEX. R. APP. P. 39.1	Judges meet before and after argument/submission. Briefing attorneys and staff attorneys sometimes participate in conferences, and they usually prepare memos for the conferences.
Voting			There is no formal voting. Judges discuss the cases.	
Opinions		The Court does not have internal guidelines concerning the time in which an opinion is drafted.	Author is assigned randomly prior to submission.	The Court normally releases its opinions on Thursdays.
Motions for Rehearing	E-filed: No paper copies. Paper: Original only **Paper only permitted for pro se filers	Motions for rehearing are initially circulated to the author, who considers the motion and makes a recommendation. The Court does not typically grant oral argument on a motion for rehearing.		Rulings on motions are normally handed down on Thursdays.

Original Proceedings	<u>E-filed</u> : No paper copies. <u>Paper</u> : Original only **Paper only permitted for pro se filers	Original proceedings are circulated when filed. Emergency relief will be granted when the Justices agree it is necessary.	If emergency relief is requested, it is circulated immediately and dealt with ASAP. If there is no motion for emergency relief, the filing is addressed as soon as possible.	
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Technology

1. The Court subscribes to Westlaw.
2. The Court does not have a preference with respect to United States Supreme Court cites.
3. Effective January 1, 2014, electronic filing is mandatory. The only exception is for pro se filers.
4. The Court does not accept filings by fax, except under emergency situations and only upon permission from Court.
5. With the exception of oral arguments conducted via Zoom, the Court does not record oral arguments.

Appellate Mediation

The Court does not have a program for appellate mediation.

Fees

1. Appeal: \$205
2. Original Proceeding: \$155
3. Motions for Rehearing: \$15
4. All other Motions: \$10
5. Response to Motions: \$0
6. The Court's website has a current list of filing fees. See *also* TEX. GOV'T CODE § 51.207, 51.208.

Miscellaneous

1. If a Justice recuses himself or herself, or if the Court is not fully staffed on a case, the Court notifies the parties. TEX. R. APP. P. 16, 17.
2. The Court uses visiting judges, as budget permits.
3. Approximately 85% of the Court's decisions are memorandum opinions.